HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI

AND

HON'BLE SRI JUSTICE G. BHAVANI PRASAD

Writ Appeal No. 74 of 2006

Between:

V. Haritha Priya and another

… Appellants.

And

Union of India and others.

… Respondents.

:: ORDER::

Counsel for the appellants : Sri M. Ravindra Babu

Counsel for the respondents : Sri A. Rajasekhar Reddy,

Assistant Solicitor General.

January 27, 2006

W.A.No. 74 of 2006

Per G.S. Singhvi, CJ.

This appeal is directed against order dated 23.12.2005 passed by the learned Single Judge in Writ Petition No. 27442 of 2005 whereby he refused to entertain the appellants' prayer for quashing notices dated 28.9.2005 and 3.12.2005 issued by Indian Bank and its authorized officer under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 (for short, 'the 2002 Act').

After arguing the case for some time, learned counsel for the appellants made a request that his clients may be permitted to withdraw the appeal with liberty to pursue their remedies under the 2002 Act.

The request of the learned counsel is accepted and the appeal is dismissed as withdrawn with liberty in terms of the prayer made. However, it is made clear that the appellants shall not be entitled to file fresh petition questioning the legality of the proceedings initiated under the 2002 Act without exhausting the remedies available under that Act.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

January 27, 2006.

MVB.